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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,920	11/17/2003	Richard York	100202703-1	4233

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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

OBEID, MAMON A

ART UNIT	PAPER NUMBER
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3609

MAIL DATE	DELIVERY MODE
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07/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/715,920

Applicant(s)

YORK, RICHARD

Examiner

Mamon Obeid

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 02/21/2007 and 01/19/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 11/17/2003.
2. Claim 1-36 are currently pending and have been examined.

Information Disclosure Statement

3. The Information Disclosure Statement filed on 02/21/2007 and 01/19/2006 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Felger, US Patent No. 7,013,001 B1.

6. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

7. **As per claims 1, 18, and 36:** Felger discloses the following limitations:

- *receiving an incoming order from a customer (see at least column 4, lines 53-57);*
- *applying fraud shield rules to the order and information of the customer, to determine if the order and customer information have information that matches a negative file (see at least column 11, lines 36-53);*
- *requesting a preauthorization from an issuing bank for funds to pay for the order (see at least column 4, lines 66- 66 and column 5, lines 1-13);*
- *performing an address verification system (AVS) check on the customer (see at least column 11, lines 54-66);*
- *checking a card verification number (CVN) of a credit card of the customer (see at least column 32, lines 28-34);*

- *applying a fraud analysis rule to the order to determine if an automatic-reject rule fires, if an outsort rule fires, or if a positive rule fires (see at least column 34, lines 4-19).*
8. **As per claims 2 and 19:** Felger further discloses *rejecting the order if one of the fraud shield rules fires (see at least column 34, lines 4-19).*
 9. **As per claims 3 and 20:** Felger further discloses *rejecting the order if the preauthorization is declined (see at least column 27, lines 60-67 and column 28, lines 1-3).*
 10. **As per claims 4 and 21:** Felger further discloses *rejecting the order if the information provided by the customer does not match the information in the issuing bank from a result of the AVS check (see at least column 21, lines 45-50).*
 11. **As per claims 5 and 22:** Felger further discloses *rejecting the order if the customer is using a foreign credit card (see at least column 32, lines 4-8).*

12. **As per claims 6 and 23:** Felger further discloses *performing further analysis for fraud on the order, if the information provided by the customer does not match the information in the issuing bank from a result of the AVS check or if the customer is using a foreign credit card* (see at least column 32, lines 1-8).
13. **As per claims 7 and 24:** Felger further discloses *approving the order if there is a match in the CVN check* (see at least column 32, lines 34-49).
14. **As per claims 8 and 25:** Felger further discloses *performing further analysis for potential fraud on the order if there is not a match in the CVN code during the CVN check* (see at least column 32, lines 14-21).
15. **As per claims 9, 10, 26 and 27:** Felger further discloses *rejecting the order if an automatic-reject rule fires, accepting the order if none of the automatic-reject rule and the outsort rule fires* (see at least column 27, lines 60-67 and column 28, lines 1-3).
16. **As per claims 11 and 28:** Felger further discloses *accepting the order if a positive rule fires* (see at least column 33, lines 19-31 and column 34, lines 35-46).

17. **As per claims 12, 13, 29 and 30:** Felger further discloses *determining a level of risk of fraud for the order if an outsort rule fires, wherein determining the level of risk of fraud for the order comprises: determining if the order should be classified as a high risk order, medium risk order, or low risk order (see at least column 32, lines 1-8).*
18. **As per claims 14, 15, 31 and 32:** Felger further discloses *wherein the order is received in a website, wherein the order is received in a call center (see at least column 11, lines 19-35).*
19. **As per claims 16, 17, 33 and 34:** Felger further discloses *wherein the order is an order for a product, wherein the order is an order for a service (see at least column 1, lines 50-66).*
20. **As per claims 35:** Felger further discloses the following limitations: *means for receiving an incoming order from a customer; means for applying fraud shield rules to the order and information of the customer, to determine if the order and customer information have information that matches a negative file; means for requesting a preauthorization from an issuing bank for funds to pay for the order; means for performing an address verification system (AVS) check on the customer; means for checking a card verification number (CVN) of a credit card of the customer; and means for applying a fraud analysis rule to the order to*

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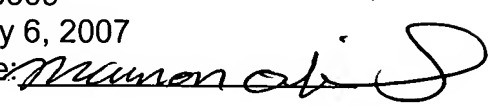
determine if an automatic-reject rule fires, if an outsort rule fires, or if a positive rule fires (see at least figures 1 and 5 and related text).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mamon Obeid whose telephone number is (571) 270-1813. The examiner can normally be reached on Mon- Fri 7:30am-5:00PM est. alt Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Reagan can be reached on (571) 270- 1245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mamon Obeid
Examiner
Art Unit 3609
Date: July 6, 2007
Signature: 

JAMES REAGAN
SUPERVISORY PATENT EXAMINER

